

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MORROW,

Defendant.

Case No. CR06-5219 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon the filing of a document [Dkt. #23] by Ross Moen Oie purportedly on behalf of defendant Michael Morrow.

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Ross Moen Oie has filed a document which is purportedly on behalf of defendant Michael Morrow. Mr. Moen Oie is not a member of the bar of this Court. It does not appear that Mr. Moen Oie is admitted to practice law in the State of Washington. Because it does not appear that Mr. Moen Oie is licensed to practice law, he may not file documents in this Court with his signature on behalf of defendant Morrow. Mr. Moen Oie may not in any way attempt to act as an attorney for, or "represent", defendant Morrow. Morrow's Sixth Amendment right to counsel does not include the right to be represented by a person who is not an attorney. *Wheat v. United States*, 486 U.S. 153, 159 (1988); *United States v. Amlani*, 111 F.3d 705, 711 (9th Cir. 1997); *see also, United States v. Dawes*, 874 F.2d 746, 748-49 (10th Cir. 1989) (collecting cases). Therefore, this document [Dkt. #23] filed by Mr. Moen Oie will not be considered by the Court. Furthermore, any future

1 filings by Mr. Moen Oie on behalf of defendant Morrow will be returned to Mr. Moen Oie.

2 In order to protect defendant Morrow's rights, however, this Court has read the document at issue.
3 The first seven pages of the 51 page document¹ appear to challenge defendant Morrow's conviction and
4 sentence. The proper procedure to challenge a conviction and sentence, other than by direct appeal, is to file
5 a motion pursuant to 28 U.S.C. §2255. If defendant Morrow wishes to file a motion pursuant to 28 U.S.C.
6 §2255 it must be signed by him, and he either may file it pro se or through an attorney admitted to practice
7 before this Court. Defendant Morrow is cautioned that he may, absent certain circumstances, file only one
8 motion under 28 U.S.C. §2255 and that motion must be filed within one year of the date upon which the
9 judgment of conviction becomes final.

10 **IT IS SO ORDERED.**

11 The Clerk shall send uncertified copies of this order to all counsel of record, and to Michael Morrow
12 at the following address:

13 Michael Morrow, Reg. No. 36393-086
14 FCI Sheridan
15 Federal Correctional Institution
PO Box 5000
Sheridan, OR 97378

16 The clerk shall also send a courtesy copy of this Order to Ross Moen Oie at the address shown in docket
17 number 23.

18 Dated this 27th day of February, 2007.

19
20 
21 RONALD B. LEIGHTON
22 UNITED STATES DISTRICT JUDGE
23
24
25
26
27
28

¹The remaining 44 pages are apparently taken from other filings by Mr. Moen Oie in unrelated matters.